

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOSAID TECHNOLOGIES, INC,

Plaintiff,

v.

ADOBE SYSTEMS, INC., *et al.*

Defendants.

C.A. No. 11-698-GMS

**PLAINTIFF MOSAID TECHNOLOGIES, INC.'S AMENDMENT TO
CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 7.1.1**

Plaintiff MOSAID Technologies, Inc.'s ("MOSAID") Certification of Counsel Pursuant to Local Rule 7.1.1 attached to its Motion for Leave to file a Second Amended Complaint (the "Motion") stated that "Defendant VMWare consents to the Motion[.]" (D.I. 39.) On December 22, 2011, VMWare, Inc. ("VMWare") asked MOSAID to clarify this statement. Although MOSAID does not believe any clarification is necessary, MOSAID attaches VMWare's November 15, 2011, e-mail to this Amendment to its Rule 7.1.1 Certification, in which VMWare stated: "VMware will stipulate pursuant to FRCP 15(a)(2) that MOSAID may file the Second Amended Complaint it filed last Friday. However, as I also mentioned, to be effective, that will require the agreement of the other Defendants, which I do not have authority to speak to." Since the other defendants oppose the Motion, MOSAID now understands that VMWare now opposes the Motion as well.

December 29, 2011

BAYARD, P.A.

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